

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

March 16, 1999

FROM: KEN A. MILLER, Director
Transportation/Flood Control

SUBJECT: **CEQA EXEMPTION FOR VACATION OF EXCESS ROAD RIGHT OF WAY ON
FRANCIS AVENUE - CHINO AREA**

RECOMMENDATION: (1) Find the vacation of excess road right-of-way on Francis Avenue in the Chino area is exempt under California Environmental Quality Act (CEQA) Class 5, Section 15305(a) because it will not affect the existing land use and direct the Clerk of the Board to post the Notice of Exemption; (2) Adopt Resolution to vacate the excess road right of way and direct the Clerk to forward a copy of the resolution to the County Recorder.

BACKGROUND INFORMATION: This vacation was initiated by the Transportation Department. The larger portion of the area to be vacated is owned in fee by the Transportation Department and can be sold as surplus property. Mr. James T. Morgan is the only other affected property owner and is the underlying fee owner of the smaller remainder portion to be vacated. The area to be vacated lies at the San Bernardino County and Los Angeles County lines. The original road right-of-way for Francis Avenue at this location did not line up with the streets dedicated on the Los Angeles County side. This required the Transportation Department to acquire additional road right-of-way to allow the public to travel freely between the two Counties. The Department has determined that the area to be vacated is not needed for existing or future traffic. Mr. Morgan has expressed interest in purchasing the surplus portion of right-of-way when it is made available. The proposed vacation area is not necessary for future road right-of-way. The area to be vacated is shown in yellow on a plat on file with the Clerk of the Board. As a summary vacation pursuant to Section 8335 of the Streets and Highways Code, no posting, advertising or public hearing is necessary.

REVIEW BY OTHERS: This item was reviewed by Deputy County Counsel Charles S. Scolastico on October 28, 1998.

FINANCIAL IMPACT: There will be no financial impact to the Department other than minimal costs to adjust various records and file documents.

SUPERVISORIAL DISTRICT(S): 4TH

PRESENTER: Ken A. Miller

Record of Action of the Board of Supervisors